



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/310,800 05/12/99 CHAUG

Y 96-017-TAX

└

LM01/0629

└

EXAMINER

TUPPER, R

ART UNIT

PAPER NUMBER

2754

DATE MAILED: 06/29/00

14

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/310,800**

Applicant(s)  
**Chuang**

Examiner  
**R. S. Tupper**

Group Art Unit  
**2754**



☒ Responsive to communication(s) filed on Jun 22, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1, 3-6, 8-14, and 16-28 is/are pending in the application.

Of the above, claim(s) 11-14 and 16-18 is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 3-6, 8-10, and 19-28 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2754

1. The request filed on June 22, 2000 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/310800 is acceptable and a CPA has been established. An action on the CPA follows.

2. Claims 11-14 and 16-18 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

3. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This claim refers to claim 11 which still recites a "track". Claim 11 must be amended to utilize the newly added "element" terminology.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the

Art Unit: 2754

rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3-6, 8-10, and 19-28 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by TSUTAKI et al (5,022,140).

Note figures 3A-3F. TSUTAKI et al shows a multiple recording/reproducing head block structure (before it is cut into single heads) that has gluing vias between the individual heads. Concerning the method limitations in claims 5, 10, and 19, these have been accorded weight only to the extent they affect the completed structures being claimed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Tupper whose telephone number is (703) 308-1601.

Application/Control Number: 09/310800

Page 4

Art Unit: 2754

*RS. Tupper*

ROBERT S. TUPPER  
PRIMARY EXAMINER  
GROUP 2500

June 28, 2000